

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Lewis Brisbois Bisgaard and Smith, LLP,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 4:22-cv-03279
	§	
Michael Joseph Bitgood, et al.,	§	
	§	
Defendants.	§	

**DEFENDANT BRADLEY B. BEERS' UNOPPOSED MOTION
TO STAY EXECUTION OF JUDGMENT AND APPROVE A CASH BOND**

TO THE HONORABLE JUDGE OF THIS COURT:

Defendant Bradley B. Beers respectfully moves for a stay of execution of the judgment entered against him on September 13, 2024, pending appeal, and for approval of the posting of a cash bond in the amount of \$11,000.00 to secure the judgment. In support, Beers states as follows:

I. BACKGROUND

1. On September 13, 2024, this Court entered a judgment awarding statutory damages in the amount of \$10,000.00 against Defendant Bradley B. Beers.

2. On January 23, 2025, the Clerk issued an Abstract of Judgment reflecting the entry of judgment.

3. Defendant Beers timely filed a notice of appeal and seeks a stay of execution of the judgment pending appeal.

4. In accordance with Federal Rule of Civil Procedure 62(b), Beers proposes to post a cash bond in the amount of \$11,000.00, which exceeds the judgment amount and accounts for any potential interest or costs that may accrue during the appeal.

II. REQUEST FOR RELIEF

5. Under Rule 62(b), a party may obtain an automatic stay of execution by posting a supersedeas bond. Courts typically approve a bond that covers the full amount of the judgment, plus interest and costs.

6. Beers has conferred with Plaintiff's counsel, who does not oppose this motion.

7. Beers has also confirmed with the Court that there is no opposition to the posting of a cash bond in lieu of a supersedeas bond.

8. Beers will submit a cash payment of \$11,000.00 to the Clerk of Court, which will remain on deposit as security for the judgment pending appeal.

III. CONCLUSION & PRAYER

For these reasons, Defendant Bradley B. Beers respectfully requests that the Court:

1. Stay execution of the judgment against him pending appeal pursuant to Rule 62(b);
2. Approve the posting of a cash bond in the amount of \$11,000.00 as security for the judgment; and
3. Grant any further relief the Court deems just and proper.

Dated: February 13, 2025

Respectfully submitted,

/s/ S. Wallace Dunwoody

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Attorneys for Defendant Bradley Beers

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2025, a true and correct copy of the foregoing document was duly served on all counsel of record via the Court's electronic filing system.

/s/ S. Wallace Dunwoody
S. Wallace Dunwoody

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